2011 Assembly Bill 359 (AB 359)

Sections 10750-10755 of the California Water Code (AB 3030) provide a systematic procedure for an existing local agency to develop a groundwater management plan. Over one hundred twenty agencies have adopted groundwater management plans and seventy eight of those plans in accordance with SB 1938 (2002). In some basins, groundwater is managed under other statutory or juridical authority.

AB 3030 allowed certain defined existing local agencies to develop a groundwater management plan in groundwater basins defined in DWR Bulletin 118. No new level of government is formed. Action is voluntary not mandatory. This was followed with SB 1938 that enhanced the process slightly more and added technical components that are required in each plan in order to be eligible for groundwater related DWR grant funding.

AB 359 was introduced by Assemblyperson Huffman and signed into water code 2011. Enactment of the legislation was delayed until 1/1/2013. This bill is also known as the Groundwater Recharge Area Mapping bill. AB 359 added additional required technical components and modified several groundwater management plan adoption procedures that will be discussed below.

AB 359 GW Management enhancements in CA Water Code

- 1) Requires the local agency to provide a copy of a resolution of intention to the Department of Water Resources within 30 days of the date of adoption.
- 2) Authorizes any person to request to be placed on a list established by the local agency for purposes of receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents.
- 3) Requires the local agency to provide each of those interested persons and the department with a specified notice prior to the 2nd hearing to determine whether to adopt the plan.
- 4) Requires, if a groundwater management plan is not adopted within 2 years of the date of the adoption of a resolution of intention and the local agency is operating under a previously adopted groundwater management plan, that the previously adopted plan remain in effect.
- 5) Requires the department to post on its Internet Web site the information the department possesses regarding the local agencies that have jurisdiction to develop groundwater management plans and information regarding groundwater management plans provided by local agencies and specified groundwater monitoring entities.
- 6) Specifies that the groundwater projects to which these requirements apply include projects that are part of an integrated regional water management program or plan.
- 7) Commencing January 1, 2013, additionally requires a description of how recharge areas identified in the plan substantially contribute to the replenishment of the groundwater basin and a map identifying the recharge areas, as defined, for the groundwater basin to be included in a groundwater management plan for purposes of the state funding requirements.
- 8) Require the local agency to provide the map of the recharge areas to local planning agencies and notify the department and other interested persons when a map is submitted to those local planning agencies.